

REMARKS:

In the above amendment, Applicants have cancelled the original claims and presented new claims 14-21. The new claims are believed to obviate the objections to the drawing and the rejection under 35 U.S.C., the second paragraph.

Claims 1-13 were rejected under 35 U.S.C. 102(b) as being anticipated by JP-2002-327780. Claim 14 distinguishes from JP-2002-327780 in that the reference does not disclose the at least one wall recited in the claim. In JP-2002-327780, the distal end (36) of the spring plate (30) is in abutment with the elevating end (37) of the tongue (28). The elevating end (37) may limit the longitudinal movement of the spring plate (30). Please note that in claim 14, the at least one wall limits at least one of clockwise and counter clockwise movements of the distal end around the base end. There is nothing disclosed in JP-2002-327780 that limits the pivotal movement of the spring plate (30) around the fixed point (31) of the spring plate (30). Therefore, claim 14 and its dependent claims cannot be anticipated by JP-2002-327780.

Claims 1-13 were rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al. There are a couple of differences between claim 14 and Kobayashi. First, in Kobayashi, the base end (13A, 22D) of the return spring (13, 22) is fixed to the pad spring (12, 21), whereas in claim 14, the base end of the return spring is attached to the brake pad. Also, in Kobayashi, the projection (13D, 22D) of the return spring (13, 22) is in abutment with the wear warning element 11 and presses the element 11 away from the disc rotor. In claim 14, the distal end of the return spring presses the supporting member towards the disc rotor. Most importantly, in Kobayashi, the return spring (13, 22) is formed integrally from the pad spring (12, 21). Because of this construction, the return spring (13, 22) of Kobayashi is not meant to rotate around its base end. Therefore, Kobayashi discloses or needs nothing that prevents the pivotal movement of the return spring (13, 22).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tadashi Horie", is written over a horizontal line.

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